

REMARKS/ARGUMENTS

Claims 12-13 have been objected to for lacking antecedent basis in base Claim 10. Claim 10 has been amended to include the recitation of an antibody.

This is in response to the Office Action dated June 13, 2008, in which the Examiner has required restriction between Group I, namely Claims 10-13 and 15, Group II, namely Claims 17-18, and Group III, namely Claims 19 and 21-25. Applicant hereby provisionally elects with traverse to prosecute the claims of Group I (Claims 10-13 and 15) and expressly reserves the right to file divisional applications or take such other appropriate measures deemed necessary to protect the inventions in the remaining claims.

The Examiner has further required that if Group I is elected, Applicant must elect a single specific active agent such as the one recited in Claims 10-13. If Group III is elected, Applicant is required to elect a single specific cancer such as the one recited in Claim 21. Applicant hereby elects an antibody as recited in Claim 13 for further prosecution, readable on Claims 10-13 and 15. Upon allowance of a generic claim, Applicant respectfully reserves the right to rejoin non-elected species.

Should the Examiner have further questions or comments with respect to examination of this case, it is respectfully requested that the Examiner telephone the undersigned so that further examination of this application can be expedited.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those, which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Appl No.: 10/536,636
Amdt. dated 12/04/2008
Reply to Restriction Requirement of 06/13/2008

Respectfully submitted,



Timothy J. Balts
Registration No. 51,429

Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Charlotte Office (704) 444-1000
Fax Charlotte Office (704) 444-1111

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